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PTO/SB/21 (04-04)

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		Application Number	10/824860
		Filing Date	April 14, 2004
		First Named Inventor	James J. Modliszewski
		Art Unit	Not Yet Assigned
		Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission		Attorney Docket Number	10884-00013-US

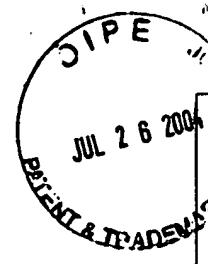
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Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	CONNOLLY BOVE LODGE & HUTZ LLP Liza D. Hohenschutz - 33,712
Signature	
Date	July 20, 2004

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Dated: 7/20/04

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Docket No.: 10884-00013-US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
James J. Modliszewski et al.

Application No.: 10/824860

Confirmation No.: Not Yet Assigned

Filed: April 14, 2004

Art Unit: Not Yet Assigned

For: HOMOGENEOUS, THERMOREVERSIBLE
GEL FILM CONTAINING KAPPA-2
CARRAGENAN AND SOFT CAPSULES
MADE THEREFROM

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

A copy of each reference on the PTO/SB/08 is attached.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent,

publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 03-2775, under Order No. 10884-00013-US. A duplicate copy of this paper is enclosed.

Dated: July 20, 2004

Respectfully submitted,

By Liza D. Hohenschutz
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Substitute for form 1449A/B/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Application Number	10/824860
<i>(Use as many sheets as necessary)</i>				Filing Date	April 14, 2004
				First Named Inventor	James J. Modliszewski
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	1	of	2	Attorney Docket Number	10884-00013-US

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		3,962,482	6/8/1976	Uniroyal, Ltd.	
		3,956,173	5/11/1976	Hercules Incorporated	
		4,443,486	4/17/1984	FMC Corporation	
		4,096,327	6/20/1978	FMC Corporation	
		5,002,934	3/26/1991	Norton et al	
		5,051,304	9/24/1991	Societe Anonyme	
		5,264,223	11/23/1993	Japan Elanco Company, Ltd.	
		5,614,217	3/25/1997	R.P. Scherer Corporation	
		5,342,626	8/30/1994	Merck & Co., Inc.	
		5,431,917	7/11/1995	Japan Elanco Company, Ltd.	
		5,756,123	5/26/1998	Japan Elanco Co., Ltd.	
		5,620,757	4/15/1997	Mitsubishi Rayon Co., Ltd.	
		5,342,626	8/30/1994	Merck & Co., Inc.	
		5,089,307	2/18/1992	Mitsubishi Rayon Co., Ltd.	
		5,569,466	10/29/1996	R. P. Scherer Corporation	
		5,820,259	10/13/1998	Q-Jet DSI, Inc.	
		6,375,981	4/23/2002	A. E. Staley Manufacturing Co.	
		6,099,876	8/8/2000	Yissum Research Development Co. of the Hebrew University	
		6,214,376	4/10/2001	Banner Pharmacaps, Inc.	
		6,326,028	12/4/2001	Monsanto Company	
		6,331,205	12/18/2001	Laurence Paris	
		6,340,473	1/22/2002	R.P. Scherer Technologies, Inc.	
		6,582,727	6/24/2003	R.P. Scherer Technologies, Inc.	
		6,375,981	4/23/2002	A. E. Staley Manufacturing Co.	
		6,635,275	10/21/2003	Warner-Lambert Company	
		2002/0122822	9/5/2002	Bunick et al	
		2003/0211146	11/13/2003	Scott et al	
		2003/0084641	5/8/2003	Tanner et al	
		2003/0085487	5/5/2003	Tanner et al	
		2003/0138482	7/24/2003	Fonkwe et al	
		2004/0052839	3/18/2004	Archibald et al	

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		JP 3-53873	1991	Kotobuki Academy	X
		JP 3-12231	1991	Kotobuki Academy	X
		JP 62-186754	1987	Unicolloid Inc.	X
		JP 60-55039	1985		
		JP 63-164858	1988	Unicolloid Co. Ltd.	X
		WO 00/36930	06/29/2000	The Monsanto Company	
		WO 01/92401	12/6/2001	A.E. Staley Manufacturing Co.	
		WO 01/92400	12/6/2001	A.E. Staley Manufacturing Co.	
		WO 03/009832	2/6/2003	R.P. Scherer Holdings Pty Ltd	

Examiner Signature	Date Considered
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Sheet	2	of	2	Attorney Docket Number	10884-00013-US

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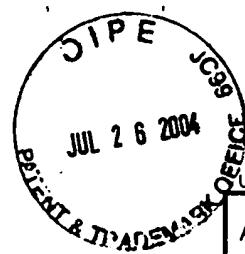
NON PATENT LITERATURE DOCUMENTS			
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		Eleya, et al., "Rheology of k-carrageenan and B-lactoglobulin mixed gels", Food Hydrocolloids, vol. 14, pages 29-40, 2000.	
		Falshaw et al., "Structure and performance of commercial kappa-2 carrageenan extracts I. Structure analysis", Food Hydrocolloids, vol. 15, pages 441-452; 2001.	
		Villanueva et al., "Structure and functional performance of gigartinacean kappa-iota hydrid carrageenan and solieriacean kappa-iota carrageenan blends", Food Hydrocolloids. Vol. 18, pages 283-292; 2004.	
		Bixler et al., "Kappa-2 carrageenan: structure and performance of commercial extracts II. Performance in two simulated dairy application", Food Hydrocolloids, vol. 15, pages 619-630; 2001.	
		van de Velde et al., "On the structure of k/i-hybrid carrageenans", Carbohydrate Research, vol. 331, pages 271-283, 2001.	
		Gums and Stabilisers for the Food Industry; "Liquid Core Hydrocolloid-Oil Capsules"; pages 324-332.	

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Application No. (if known): 10/824860

Attorney Docket No.: 10884-00013-US

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